

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 2005-10508-RGS

JOSEPH E. BLAKE,
Plaintiff,

v.

ROBERT MURPHY, *et al*,
Defendants.

DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME

NOW COMES the Defendants, Robert Murphy and Kathleen Dennehy,¹ by and through undersigned counsel, and hereby moves this honorable Court to enlarge the time for serving a responsive pleading to plaintiff's complaint, up to and including March 20 2006.

Additional time is required due to counsel's heavy case load. Counsel completed a G.L.c. 123A, § 9, Sexually Dangerous person ("SDP") Superior Court jury trial, Pentlarge v. Commonwealth, Suffolk No. 04-10720, on January 24, 2006, and is scheduled to represent the Commonwealth in two G.L. c. 123A, § 9 jury trials: Richlin v. Commonwealth, No. 03-10348, beginning on February 22, 2006, and Dodge v. Commonwealth, No. 04-10940, beginning on March 6, 2006. The Dodge case was just recently assigned to counsel, who had to take it over from another attorney. SDP trials are extremely fact intensive and require significant

¹ The Massachusetts Department of Correction ("DOC") was originally a defendant in this action. On or about October 31, 2005, the Court dismissed all claims against DOC. To the extent that the defendant raises any additional claims against DOC in his Amended complaint, undersigned counsel will represent DOC as well.

preparation. Because counsel was just assigned Dodge, and given its close proximity to the Richlin trial, counsel has been working on preparing both cases for trial.

Additionally, counsel has been attending to his other civil cases, as well as taking over administrative duties for the Treatment Center's supervising counsel, who has been on trial for the majority of the last four weeks. Finally, additional time is required in order to allow counsel to complete the investigation into plaintiff's numerous allegations and claims, complete researching the legal issues, and develop a meaningful response.

Respectfully Submitted

by the Commonwealth

NANCY ANKERS WHITE
Special Assistant Attorney General

by: /s/ Brian P. Mansfield
Brian P. Mansfield, Counsel
Department of Correction
Massachusetts Treatment Center
30 Administration Road
Bridgewater, Massachusetts 02324
(508) 279-8180
BBO Number 564671

Dated: February 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that I did this day serve a photocopy of the above document upon the plaintiff by Institutional Mail.

Dated: February 17, 2006

/s/ Brian P. Mansfield
Brian P. Mansfield